

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LORENZO MENDOZA MARTINEZ, ELIEZER
MENDOZA MARTINEZ, ELIU MENDOZA, and
GLORIA MARTINEZ MONTES,

Plaintiffs,

v.

AERO CARIBBEAN, EMPRESA
AEROCARIBBEAN S.A., CUBANA DE
AVIACION S.A., ATR,

Defendants.

No. C 11-03194 WHA

**ORDER DENYING
MOTION TO SEAL**

On April 13, 2012, pursuant to Civil Local Rules 7-11 and 79-5(b), defendant GIE Avions de Transport Regional (“ATR”) filed an administrative motion to seal documents it designated confidential pursuant to a stipulated protective order. The documents at issue are included as exhibits to defendant’s supplemental reply in support of its motion to dismiss for lack of personal jurisdiction. Plaintiffs have not opposed.

Defendant seeks to seal the following exhibits to the Cloar Declaration: (1) Exhibit C, the heads of agreement between Air Lease Corporation and ATR, (2) Exhibit D, the cover page and pertinent pages of the sales and purchase agreement between Air Lease Corporation and ATR, (3) Exhibit E, pertinent pages from the aircraft bills of sale between Air Lease Corporation and ATR, and (4) Exhibit F, pertinent pages from the list of documents exchanged between Air Lease Corporation and ATR at the delivery of aircraft.

1 Compelling reasons are required to seal documents used in dispositive motions. *See*
2 *Kamakana v. Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006). Defendant moves to seal the
3 aforementioned exhibits because they contain “several documents that form part of an overall
4 contract between defendant ATR and Air Lease Corporation for the sale and purchase of ATR
5 aircraft.” As part of that contract, defendant and Air Lease Corporation “agreed that all terms
6 and conditions would not be disclosed” (Dkt. No. 39-1). This does not satisfy the compelling
7 reasons standard. Thus, the motion to seal is **DENIED**. All documents shall be filed in the public
8 record.

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10 **IT IS SO ORDERED.**

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12 Dated: April 18, 2012.



13 WILLIAM ALSUP
14 UNITED STATES DISTRICT JUDGE
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